Richard E. Leff, Esq. (RL-2123) McGIVNEY & KLUGER, P.C. 80 Broad Street, 23rd Floor New York, New York 10004 (212) 509-3456

Attorneys for Defendant:

CDL (NEW YORK) LLC i/s/h/a CDL NEW YORK LLC MILLENIUM HILTON

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

-----X 21 MC 102 (AKH)

VIRGILIO MARMOLEJO (AND WIFE, OLGA Index No.: 07-CV-4488 C. RIVERA),

NOTICE OF ADOPTION OF ANSWER TO MASTER COMPLAINT

Plaintiff(s),

ELECTRONICALLY FILED

-against-

CDL NEW YORK LLC, et al.,

Defendant(s).

PLEASE TAKE NOTICE that Defendant, CDL (NEW YORK) LLC i/s/h/a CDL NEW YORK LLC MILLENIUM HILTON, by its attorneys, McGIVNEY & KLUGER, P.C., as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopts its Answer to Master Complaint dated August 1, 2007, which was filed in the matter of In Re World Trade Center Lower Manhattan Disaster Site Litigation, 21 MC 102 (AKH).

WHEREFORE, the defendant, CDL (NEW YORK) LLC i/s/h/a CDL NEW YORK LLC MILLENIUM HILTON, demands judgment dismissing the above-captioned action as against it,

together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York September 11, 2007

Yours etc.,

McGIVNEY & KLUGER, P.C. Attorneys for Defendant CDL (NEW YORK) LLC i/s/h/a CDL NEW YORK LLC MILLENIUM HILTON

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TO: WORBY GRONER & NAPOLI BERN, LLP Plaintiffs Liaison
In Re Lower Manhattan Disaster Site Litigation
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All Defense Counsel